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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,711	12/11/2001	Michael Jeffrey Agnes	0275L-000527	4110

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EXAMINER

MOHANDESI, IRAJ A

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 04/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/014,711	AGNES ET AL.
	Examiner	Art Unit
	Iraj A Mohandes	2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 11 December 2001.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 11 December 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)      4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)      5) Notice of Informal Patent Application (PTO-152)  
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.      6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

Therefore, " the double insulated rotor and stator " must be shown or the features canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-9 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The specification does not describe a double insulated rotor and stator.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-9, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 "an implement of a motor driven product" is indefinite and vague.

In claim 1 " a double insulated rotor and stator assembly " it is not clear, which part is double insulated, a; stator and rotor, b; stator only

In claim 5 the phrase "a rotor assembly configured to provide a second layer of electrical insulation" fails to teach a functioning structural limitation.

It is not clear to which part of the rotor a second layer of electrical insulation referred to.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims are 1-20 rejected under 35 U.S.C. 103(a) as being unpatentable over **Geschwender 5073,736** US patent in view of **Prindle 2,173,726** US patent and **Van Dine 6,072,252**. US patent.

**Geschwender'736** discloses a brush less motor comprising; a motor housing (1) a bearing end cap(7) coupled to the motor housing ;wherein the motor housing is constructed of a non-conductive material ( column 4 ,line 65 ); stator assembly is

installed in to said motor housing(1); the stator assembly is installed into a non conductive intermediate material (2).

**Geschwender'736** teaches all limitation of the claim except a double insulated rotor and stator; a stator assembly with a first layer of electrical insulation; a stator stack of steel laminations with plurality of stator slots; a plurality of windings wound the stator slots nonconductive electrically insulating material disposed into the stator around said winding ;a plurality of first strip of insulating material inserted into the stator slots, a plurality of second strips of insulating material inserted into a mouth of the stator slots ;a rotor assembly with a second layer of electrical insulation; a shaft ;a rotor stack of steel laminations ; a non- conductive electrically insulating fiberglass tube.

**Prindle'726** disclosed a motor with a double insulated stator assembly (11,133) Fig.5;a stator assembly configured to proved a first layer of electrical insulation (11) a stator (3) with steel laminations; a plurality of stator slots (4) a plurality of windings (10) wound in the stator; a non-conductive electrically insulating material disposed into stator slots around the windings(11,14) ;wherein the insulating material comprises ; a plurality of first (11) strips of insulating material inserted into said stator slots and a plurality of second strips of insulating material inserted into the a mouth of said stator slots. Therefore it would have been obvious to one having skill in the art at the time the invention was made to modify **Geschwender'736** brush less motor with insulating material for the protection of stator winding taught by **Prindle'726** to insulate the stator winding and stator core to pervert any electrical connection between stator and winding. The brush less motor of **Geschwender'736** modified by insulating material taught by

laminations ;an insulating tube of non-conductive electrically insulating material of fiberglass. **Van Dine,252** discloses a motor having a shaft (1) with a insulating tube (7) of composite material of fiberglass (column 2,line 25).

Therefore it would have been obvious to one having ordinary skill in art at the time the invention was made to combine the brash less motor of **Geschwender'736**, modified by insulating material for stator winding taught by **Pridle'726** with the rotor having a isolating fiberglass tube around the shaft for insulating shaft, taught by **Van Dine,252** to prevent any electrical shock, witch could cause by current caring part of motor.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- I. Power tool with motor support means, US patent 3,699,366 Wood.
- II. High speed ,high power single phase brush less DC motor.

### ***Communication***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iraj A Mohandes who's telephone number is **(703)305-3242**. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 703-308-1371. The fax phone numbers

for the organization where this application or proceeding is assigned are (703)872-9314  
for regular communications and (703)872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the receptionist whose telephone number is (703)306-0377.

I M

April 11, 2002



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